

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
NEWARK DIVISION**

In the Matter of C.G)
)
Emeric Gerval,)
)
)
Petitioner,)
)
v.)
)
Niurka Gonzalez,)
)
Respondent.)

Case No. 17-12179

ORDER TO SHOW CAUSE

UPON the accompanying Petition, verified by Petitioner, Emeric Gerval, on November
Dec. 3, 2017, and the exhibits attached hereto, it is hereby

ORDERED that respondent, Niurka Gonzalez, or her attorneys, show cause before this Court, at the United States Courthouse, United States District Court for the District of New Jersey, Newark Division, located at 50 Walnut Street, Newark, New Jersey 07101, Room _____ on the _____ day of November, 2017 at _____ o'clock in the _____ noon thereof, or as soon thereafter as counsel can be heard, why an Order should not be made and entered granting the Petitioner the following relief:

- a. An order directing that the child shall be returned to her Habitual Residence of France, pursuant to Article 12 of the Convention.
- b. Enter an immediate *ex-parte* temporary restraining order prohibiting the removal of the child from the jurisdiction of this Court pending a hearing on the merits of the Verified Petition, and further providing that no person acting in concert or participating with Respondent shall take any action to remove the child from the jurisdiction of this Court pending a determination on the merits of this case;
- c. Issue an immediate order that Respondent surrender any and all of her passports and all of the passports of the child.

- d. Issue an order directing Respondent to pay Petitioner for all costs and fees incurred to date by reason of the child's wrongful removal and retention pursuant to 22 U.S.C. § 9007;
- e. any such further relief as justice and its cause may require.

ORDERED that personal service of a copy of this Order, together with the copies of the papers upon which it was brought on respondent before the ____ day of November, 2017, shall be deemed sufficient.

ENTER,


U.S.D.J.

In this Amended Verified Petition, Petitioner mentions the pendency of an action in Superior Court (N.J.). No details regarding those proceedings are set forth. The present filing before this Court may be barred. Further information is required. Additionally, given that Petitioner was aware of the abduction since July 2016, it is unclear as to why there has been such a delay in bringing this action. Finally, Petitioner has failed to set forth a sufficient basis to justify the ex parte filing of this action. Petitioner's request is therefore denied.

